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RES GESTAE

Michigan law school weekly

April 19, 1974

HUMOR

THE HIERARCHY

The Law School, though an autonomous unit, is part of the greater university. Always astute, and ever ready to recognize our responsibility to the University of Michigan, Res Gestae publishes the following. It was written by an anonymous sage. (It goes without saying that in order to be a sage, one cannot be a law student).

THE DEAN: Leaps tall buildings in a single bound, is more powerful than a locomotive, is faster than a speeding bullet, walks on water and gives policy to GOD.

THE DEPARTMENT HEAD: Leaps short buildings in a single bound, is more powerful than a switch engine, is just as fast as a speeding bullet, walks on water if sea is calm and talks with GOD.

PROFESSOR: Leaps short buildings with a running start and favorable winds, is almost as powerful as a switch engine, is faster than a speeding BB, walks on water in an indoor swimming pool and talks with GOD if special request is approved.

ASSOCIATE PROFESSOR: Barely clears a quonset hut, loses tug of war with locomotive, can fire a speeding bullet, swims well and is occasionally addressed by GOD.

ASSISTANT PROFESSOR: Makes high marks on the walls when trying to leap tall buildings, is run over by locomotives, can sometimes handle a gun without inflicting self-injury and talks to animals.

GRADUATE STUDENT: Runs into buildings, recognizes locomotives two out of three times, is not issued ammunition, can stay afloat with a life jacket and talks to walls.

(See LADDER Page 7)

CONFERENCE

WOMEN AND THE LAW

The University of Michigan was well represented at the recent Fifth National Conference on Women and the Law in Austin, Texas. We left Ann Arbor on the 29th of March, an icy gray morning and arrived in sunny Austin in time for afternoon workshops.

The Michigan contingent included students from University of Detroit and Wayne and several resource people. Jean King, an Ann Arbor attorney, led workshops on sex discrimination in education and discussed her recent work on the Kalamazoo textbook case. Virginia Nordby, on our faculty, led workshops on rape and the high attendance reflected the growing concern of women for reform of rape legislation. The present Michigan proposal (if it is passed) will be one of the models of reform in this area. Ms. Nordby, who wrote the Michigan proposal, included important information on getting such reforms through the drafting as well as the lobbying stage.

Other speakers included Judge Sarah T. Hughes, U.S. District Judge for the Northern District of Texas and Sarah Ragle Weddington, member of the Texas House of Representatives and winning counsel in Roe v. Wade, the abortion case argued before the U.S. Supreme Court. Barbara Babcock, associate professor of law at Stanford, spoke to about 600 participants on trial tactics and the professional duties of the feminist lawyer.

Women from all areas of the law were represented at the conference. But the importance of the conference was more than the information shared in the workshops or the opportunity to meet women from such geographically and legally diverse areas. The conference was exciting! We talked about future plans and possibilities. We learned of problems and solutions in the rest of

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LETTERS

April 13, 1974

To the Editors:

I find the following quotation to be an appropriate footnote to Mr. Fenech's article, "Pavlov's Law Student," which appeared in last week's Res Gestae.

Dung beetles are powerfully attracted to fresh dung. In Africa the beetles are alerted as soon as a nearby buffalo lifts its tail to defecate and passes a little odorous fecal gas. By the time the steaming dung pad has hit the ground beetles are orienting to it. Minutes or even seconds later, before the buffalo has moved very far, many beetles have homed in on the dung and are already burrowing in it. Within a day, sometimes within only a few hours, nothing may remain of the pad except a few dry wisps of plant fiber on the surface of the fresh soil excavated by beetles tunneling under it.

Scientific American (April 1974) p. 103

s/ A. Russell Localio

To the Editor:

For the possible interest and/or edification of your readers, I send along an enclosure or the value of legal training in helping people with their problems. It's a reasonably good example of the Israeli legal system. Like many other things here, no one is quite sure why or how it works. The article appeared in the Jerusalem Post in January of this year.

WHAT YOU NEED IS A GOOD LAWYER

Ten years ago Billitzer borrowed 20 pounds off me for two hours. He promised to return the money within a day. As he didn't, I gave him a ring and he asked for a week's grace. After a week I went to see him to demand my money back. He promised he's fix it by Monday noon. Thursday evening I consulted a solicitor and he sent Billitzer notice that "due steps will be taken in default of claim being met within a period of 72 hours after receipt of this communication." No reply came from Billitzer within a period of two months, following which the solicitor stated that there was nothing more he could do, as Billitzer refused to pay.

I took the case out of his hands and placed it in those of a better solicitor. We sued Billitzer. The hearing took place after five months, but Billitzer didn't show up because of illness. The hearing was therefore adjourned to a later date next year. Then it didn't take place either, because Billitzer had meanwhile gone abroad. I waited for a year and a half, but as he didn't come back I applied to another quite well-known lawyer who tried to reopen the proceedings, but the judge refused to conduct the case in the absence of the defendant.

We appealed to a higher court, which rejected the case in accordance with the regulation that a court of that level does not handle civil claims involving less than 50 pounds. We waited a year or two for Billitzer to come back from abroad, and when he did I sent him another 30 pounds' loan by notary to raise his debt to a round fifty. Now the higher court did accept our case and ordered the lower court to conduct the hearing in defendant's absentia. Since, however, defendant wasn't in absentia because Billitzer had meanwhile returned from abroad, as mentioned, the hearing was adjourned pending clarification.

I hired an even, better-known lawyer and we petitioned the Supreme Court for an order nisi calling upon the Minister of Justice to show cause why I shouldn't have my money back from Billitzer. The Minister of Justice came nisi and said I should apply to the courts. Thereupon we renewed the proceedings but they were adjourned because Billitzer asked for an adjournment. I went to the biggest lawyer in Israel and told him my story. He listened attentively and suggested I go to Billitzer and beat him up. He gave me my 50 pounds in cash right way. It pays to consult a really good lawyer.

- Alex Bemly
Class of 73

To the Editors:

The only thing that surprised me more than the appearance of the U.M. News Service's article on my work on commodities legislation was the fact that somebody bothered to respond to it. My initial puzzlement was lessened when I realized that Michael Weinberg's surprising interest in this somewhat

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(LETTER Cont'd From Page 2)

obscure area was no doubt nurtured by his father, the Chairman of the Board of the second largest commodities exchange in the country, the Chicago Mercantile Exchange. As is often the case when someone suggests that the current regulatory system has proved inadequate, those most involved in that system are most reluctant to accept the uncertainty of substantial change.

It seems rather silly to get into an extended debate here on the merits of the various commodities bills. But I cannot let the simple factual errors in Mr. Weinberg's letter slip by without some comment. (1) The Hart bill does not require that the names of all traders and their market positions be made public. It merely empowers the independent commission that it establishes to ask for trading reports when it has a reason to do so, and allows the commission to make such information public if it determines that this would be in the public interest. (2) The Hart bill does not empower the government to stipulate commodity margins. It merely requires exchanges to include in their rules a minimum margin requirement which they can change at will subject only to the commission's disapproval. (3) Finally, the Hart bill does not in any way bar foreigners from trading on U.S. commodity markets. It merely requires that those outside the United States post a surety bond to be forfeited only if they refuse to submit to the jurisdiction of U.S. courts or administrative officials charged with the enforcement of the Act.

As he no doubt realizes, Mr. Weinberg's other points are currently the subject of sharp debate. Not surprisingly, he has accurately reflected the position taken by the major commodities exchanges. I understand that they sincerely believe that the present system of self-regulation has proven effective. But there is today significant disagreement. A former Vice-Chairman of the Board of the Chicago Mercantile Exchange itself, Harry Fortes, has charged before Congress that the manipulation of futures markets has "...hurt the public in higher food prices."

I feel strongly that the Hart bill seeks to serve the larger public interest by assuring that our futures markets will be more open and competitive. I recognize that there can be significant disagreement with these conclusions, but that does

not mean that they are the result of inadequate research. Several staff members spent considerable time preparing this bill, and their research in fact included discussions with Mr. Weinberg's father and other exchange officials.

I find it difficult to believe that even the Res Gestae will remain this desperate for material, so if anyone wants to continue this discussion, please feel free to contact me directly.

s/ Ralph Gerson



Are you moral enough to join the legal profession?

CONTEST

MICHIGAN ACLU
ANNOUNCES WRITING CONTEST

The Michigan Chapter of the American Civil Liberties Union has established the Moe Wolfgang Memorial Award in memory of a Detroit lawyer who spent much of his life in the struggle for civil liberties in America.

Entries should be on "New Frontiers for Civil Liberties." Some possible topics include "Involuntary Commitment of the Mentally Ill," "Redressing Grievances for Victims of Police Misbehavior," "Invasion of Privacy: Access to Records (Police, Credit, Medical, Personal)," "Selected Problems Under the Equal Rights Amendment," "Extending Civil Liberties to New Groups (Disabled, etc.)."

Competition is open only to Michigan, Wayne, University of Detroit and Detroit College of Law law students.

The final award is \$500.

Further information can be obtained from flyers posted various places in the law school or from Assistant Dean Borgsdorf.

s/Charles W. Borgsdorf

EPHEMERA

WRIT AND RUN

(Excerpt from the Detroit Free Press 3/2/74)

John Richard Anderson scribbled himself a "writ of habeus escapus" and sawed his way out of a jail in Boston, Tex.

Police said Anderson, 47, who faced a 75-year prison sentence for armed robbery sawed through the bars of his third-floor cell and left behind some hacksaw blades and a hand-written note that said:

"Come now John Richard (Dick) Anderson, petitioner in the above styled and numbered case, and hereby grants said 'writ of habeus escapus' on the grounds that said kangaroo (sic) court of Bowie County would not allow him the compulsory process for obtaining witnesses in his behalf, and using his prior convictions against him in violation of due process and equal protection of the law: To the end that justice be served, said petition for 'writ of habeus escapus' is hereby accepted and granted."

SCHWARTZ SMASHES

Stephen Jay Schwartz easily disposed of his opponent last Friday and became the all-campus table tennis champion. The match was notable because of the contrast in the demeanor of the participants. Schwartz's opponent appeared nervous from the beginning. The champion, however, remained composed, allowing himself an occasional grin. After all, when you've been through oral arguments, a championship ping pong match is nothing.



RES GESTAE STAPH

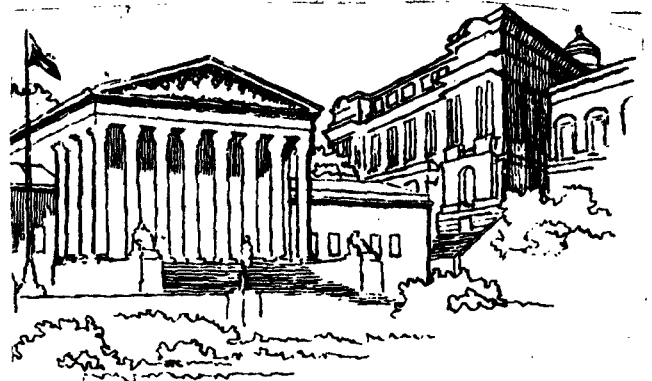
Pat Cottrell --does all the work
Joe Fenech--disclaims liability
Nelson Leavitt--assistant's assistant
George Pagano--assistant
Mike Slaughter--in D.C. (don't blame him)

TAKING OFFICIAL GANDERS

From the Detroit Free Press 4/16/74

U.S. Supreme Court justices occasionally watch porno films in the basement of the court in Washington, D.C. - all for purpose of making obscenity rulings, an old court watcher says. These are their reactions:

Justice Douglas never attends, because he believes the First Amendment protects all freedom of expression. Chief Justice Burger never goes because he just doesn't like to.



Justice Blackmun watches in a "near catatonic state," Justice Marshall laughs and slaps his knee; Justice White sits rigidly muttering "Fi th," Justice Powell always is appalled. Justice Brennan is bored. Justice Rehnquist hasn't been a Supreme long enough to have established a style.

Justice Stewart used to sit next to the late Justice John Marshall Harlan, who was almost totally blind. Stewart would narrate to Harlan, to wit: "Now she's grabbing...now he's taking her...now she's... now he's..." About every five minutes Harlan would exclaim: "By George, extraordinary!"

"After three weeks in a law school you can talk to any lawyer in the world but you cannot talk to your butcher."
--S. Riesenfeld

NOTICES

CIVIL RIGHTS TALK

The Women Law Students will sponsor an informal talk by Ms. Dorothy Smith, attorney with the Equal Employment Opportunity Commission, at noon on Tuesday, April 23. Ms. Smith will discuss her work with Title VII problems and the general responsibilities of her position with the Commission. Bring your lunch and join her in the Faculty Dining Room.

s/ Marilyn Buhyoff
W.L.S. Steering Committee

LAW SCHOOL PLAY

The public reading scheduled for today, Friday, April 19, 1974 has been cancelled.

- Joshua Greene

COURSE SELECTIONS

What? When? Who? Why?

Open meeting with discussion and questions, Thursday April 18, at 3:30 p.m. in room 120 HH.

BUDGET HEARINGS

Organizations that want to request funds from the senate must sign up for a hearing at the law school desk. Hearings will occur on Saturday April 20th. Twenty minutes will be allotted to each group. Please be prompt and prepared.

s/ Bertie Butts

PHI ALPHA DELTA LAW FRATERNITY

Phi Alpha Delta Law Fraternity International, Campbell Chapter, is pleased to announce its officers for 1974-75.

Justice: Douglas Tisdale
Vice-Justice: David Paruch
Clerk: Gaylen Byker
Treasurer: Richard Elmquist
Marshall: Joseph Ayaub

DON'T BE PILS'D OFF

...because Public Interest Law Society will be here and functioning this summer. If you are interested in putting in some time between May and September doing legal work for any of a variety of public interest groups, state agencies or legislators, let PILS know. It is not necessary that you be in Ann Arbor, as long as you come to rest in reach of a decent law library.

Leave your name and phone with Alan Barak 764-8976 or Pat Shipstead 994-0062, or sign up on the PILS notice board in the basement of Legal Research next to the john.

WRITING AND ADVOCACY PROGRAM

The following people have been selected as Senior Judges from the 1974-75 Writing and Advocacy Program:

Scott Arnold	Jim Jenkins
Mara Babin	Joseph Ritok
Scott Bass	James Rodgers
Charles Bateman	Dennis Ruppel
Joyce Bihary	John Sarafopoulos
W. C. Blanton	James Sicks
Lawrence Clough	Wesley Smith
Teresa D'Arms	Herbert Sue
Jeffrey Fisher	Doug Tisdale
Elyse Fox	Raymond Vandenberg
Patrick Geary	Alan Weinberger
Jack Gerstein	

PLACEMENT

1st and 2nd Year People - The California Video-Taped Interviews will be made on Tuesday, April 23rd. Please come to the Placement Office and sign up for a specific time.

3rd Year People who are still looking for the right job are asked to stop in the Placement Office and let us know what you are looking for. We will continue to receive letters from employers seeking third year people, even after graduation, and we want to know what you're interested in, and where we can reach you.

All students with jobs - Please report your jobs to the Placement Office as soon as possible.

MORE NOTICES

STATE BAR LAW STUDENT DIVISION

The Board of Commissioners has appointed a special committee to explore the desirability of creating a Law Student Division within the State Bar of Michigan. This committee will hold a hearing at the State Bar Headquarters at 306 Townsend Street in Lansing on Saturday, April 27, 1974, to determine what interest, if any, exists among law students on this subject. The hearing will start at 10:00 AM preceded by coffee and doughnuts at 9:30 AM. All interested students are invited to attend and express their views to the committee. If little or no interest is expressed by the students themselves, the question of a Law Student Division will almost certainly be dead for the foreseeable future. Accordingly, please take whatever steps you feel are necessary to notify your student body of this hearing. In the event there are any questions concerning this meeting, please direct them to Mr. Emery C. Freeman of the State Bar staff. The committee and I will greatly appreciate your cooperation in this matter.

- Arnold W. Lungershausen
Chairman

HANDGUN BAN

An organizational meeting will be held next week for commencing the Ann Arbor anti-pistol petition drive. The meeting will be at Trinity Evangelical Lutheran Church, 1400 W. Stadium, Wednesday April 24 at 7:30 P.M.

Our group, Citizens United to Save Lives (non-partisan, non-denominational) is organized out of Detroit and seeks through referendum to amend the Michigan State Constitution to outlaw the manufacture, sale and possession of pistols throughout the state. With 3 times as many murders in Detroit alone in the last 4 years as there have been in Northern Ireland (half those Detroit murders being pistol-produced), the justification for such prohibition is obvious.

We need the help of anyone who can take petitions to friends to be signed or who will stand on the street corner seeking signatures. If you are at all interested come to the meeting next Wednesday. There you may pick up petitions and receive assignments for petition passing work. For further info you may contact Tom Burden at 994-0402.



THE LANGDELL METHOD
OR
HOW TO BE SOCRATEASED
INTO SUBMISSION.

(LADDER Cont'd From Page 1)

UNDERGRADUATE STUDENT: Falls over doorstep when trying to enter building, says look at the choo-choo, wets himself with water pistol, plays in mud puddles and numbles to himself.

DEPARTMENT SECRETARY: Lifts buildings and walks under them, kicks locomotives off the tracks, catches speeding bullets in her teeth and eats them, freezes water with a single glance--she is GOD.

--Submitted by Law School Secretaries

(CONFERENCE Cont'd From Page 1)
the country.

In sum, we went beyond edited appellate opinions and analyzed briefs which will soon be presented to the Supreme Court, proposed test litigation in various areas, discussed law reform and model legislation, and, in general, looked toward our futures as women and attorneys.

This year's participants strongly urge interested persons to plan now for next year's conference at Stanford. Virginia Nordby is on the planning committee so we will be kept current on the 1975 conference ideas. This is one of those opportunities you will not regret!

- Barbara T. MacQueen
Pat Micklow
Sue Eisenberg

COOK LECTURES

Forced school busing and the controversy it generated may have been a wasted effort, in view of recent progress in voluntary racial integration, says Nathan Glazer, the noted sociologist.

Delivering the 1974 William W. Cook Lectures at The University of Michigan, Glazer noted that integration is now becoming a reality in many communities and that voluntary "open enrollment" at schools, although still in the experimental stage, may hold great promise for the future.

In view of these recent developments, Glazer asserted, "one wonders whether forced integration through busing was really worth it." Glazer, now a professor of education and

social structure at Harvard University, is known for his book "The Lonely Crowd" and other works examining American race and ethnic relations. He delivered a series of five lectures at the U-M April 1-5 in a program sponsored by the U-M Law School. Glazer cited "open enrollment" programs in Richmond, Calif., and other areas as offering a "prognosis for better education" than that achieved through forced busing.

At the same time, he acknowledged that this alternative offers only a "partial solution." While many blacks are eager to send their children to suburban schools, he said, there is little hope of achieving voluntary integration in predominantly black ghetto schools. On the question of equal opportunity in jobs and higher education, Glazer asserted that racial hiring quotas, affirmative action programs and other statistical measures imposed by the government to ensure racial balance may have only served to defuse the equal rights movement.

One result of these statistical measures, he said, has been to subvert the idea that "a concrete evil" has been done in discriminating against blacks and other minorities.

"It is one thing to say that a man has been discriminated against in buying a home. It is quite another to quote percentages of white and minority homeowners," Glazer said.

"Much of the work of government agencies today really has nothing to do with discrimination," the Harvard sociologist insisted. "Rather, their major concerns seem to be statistical inequities and the setting of goals and timetables."

But Glazer said he also felt "substantial progress" has been made over the past two decades in upgrading black income and employment.

"I believe that severe legal measures are necessary in combatting segregation," Glazer said. "But great progress has been made in the 1960's without the help of government statistical measures."

U of M News

POLL

QUOTE POLL

In the past the poll has been aimed at satisfying the needs of frustrated-jock law students. This week the poll attempts to give the frustrated intellectuals of the law school a chance to show their knowledge of trivia. After determining the source of the quote, indicate it in the appropriate blank. The correct answers will be judged based on evidence introduced by Brian Kennedy. Therefore, any complaints should be addressed to him and not the Res Gestae staff. Place the poll in the box in front of room 100 by 4:59 Friday.

Kiss me Hardy. _____
The boy stood on the burning deck/Whence all but him had fled.

Injustice is relatively easy to bear-what stings is justice.

We are under a Constitution, but the Constitution is what judges say it is.

Neither snow, nor rain, nor heat, nor gloom of night stays these couriers from the swift completion of their appointed rounds.

Our Country: in her intercourse with foreign nations may she always be right: but our country right or wrong!

I would not give half a guinea to live under one form of government rather than another. It is of no moment to the happiness of the individual.

Diseases desperate grown/By desperate appliance are relieved/Or not at all.

Go and catch a falling star/Get with child a mandrake root/Tell me, where all past years are/Or who cleft the devil's foot.

Three may keep a secret if two of them are dead.

The paths of glory lead but to the grave.

"Who touches a hair of yon grey head Dies like a dog! March on!" he said.

I called the New World into existence to redress the balance of the old.

When I was a young man, being anxious to distinguish myself, I was perpetually starting new propositions. But I soon gave this over; for I found that generally what was new was false.

When the gods wish to punish us they answer our prayers.

Soldiers, forty centuries look down upon you.

- George A. Pagano

STUDENT SENATE

LSSS COMMITTEES

In an effort to improve its services, the Student Senate has decided to appoint members to several of its committee's this spring, instead of in the fall, so they will be ready to act promptly at that time. Sign-up sheets will be located in Hutchins, so watch for them and get involved. The committees are the following:

Administrative - one member to act with several faculty members on various student proposals for amending curriculum requirements, etc.

Placement - four people to aid the Placement Office in getting firms here to interview. Inactive this year, this is a real opportunity to help your fellow students and yourself in increasing job opportunities. The people in the Placement Office are anxious to have your help.

Personnel - three members to interview prospective faculty. Hiring has been heavily influenced by this committee in the past, so here is another opportunity to serve an important function.

Social - This committee puts on all the movies, mixers, sherry hours, etc. If you want to improve or augment these functions, here is your chance. We also need a projectionist badly.

Sports - organizing the overall law school effort in IM Sports. The law school has done well in the past, so let's keep it going.

Speakers - This was another committee which didn't get off the ground this year. If you'd like to bring some interesting people to the law school next year, get started on it now.

s/ Terrence S. Linderman